

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: VIDEO ON DEMAND CONFIGURING, CONTROLLING AND MAINTAINING

the specification of which (check one)

☒ is attached hereto.

_____ was filed on _____ as United States Application Number _____

or PCT International Application Number _____

and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application, having a filing date before that of the application on which priority is claimed:

| Prior Foreign Application(s) | Priority Claimed |
|--|--|
| _____ (Number) _____ (Country) _____ (Day/Month/Year Filed) | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ (Number) _____ (Country) _____ (Day/Month/Year Filed) | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ (Number) _____ (Country) _____ (Day/Month/Year Filed) | <input type="checkbox"/> Yes <input type="checkbox"/> No |

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

| | |
|------------------------------------|-------------------------------|
| 60/138,172 (Application Number) | June 8, 1999 (Filing Date) |
| _____ (Application Number) | _____ (Filing Date) |

I hereby claim the benefit under 35 U.S.C. §120 of any United States Application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States, or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information material to the patentability of this application as defined in 37 CFR §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|-----------------------------------|------------------------|--|
| _____ (Application Serial No.) | _____ (Filing Date) | _____ (Status) (patented, pending, abandoned) |
| _____ (Application Serial No.) | _____ (Filing Date) | _____ (Status) (patented, pending, abandoned) |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number).

Manny W. Schecter (Reg. 31,722), Lauren C. Bruzzone (Reg. No. 35,802), Christopher A. Hughes (Reg. 26,914), Edward A. Pennington (Reg. 32,588), John E. Hoel (Reg. 26,279), Joseph C. Redmond, Jr. (Reg. 18,753), Douglas W. Cameron (Reg. No. 31,596), Wayne L. Ellenbogen (Reg. No. 43,602), Stephen C. Kaufman (Reg. No. 29,551), Daniel P. Morris (Reg. No. 32,053), Louis J. Percello (Reg. No. 33,206), Jay P. Sbröllini (Reg. No. 36,266), David M. Shofi (Reg. No. 39,835), Robert M. Trepp (Reg. No. 25,933), Paul J. Otterstedt (Reg. No. 37,411) and Louis P. Herzberg (Reg. No. 41,500).

SSM&P Docket No.: YOR9-2000-0348US1
IBM Docket No.: 13668

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Send correspondence to: Richard L. Catania, Scully, Scott, Murphy & Presser

400 Garden City Plaza, Garden City, New York 11530

Direct Telephone Calls to: (name and telephone number) Richard L. Catania, (516) 792-4343

Louis Paul Herzberg

Full name of sole or first inventor

Louis Paul Herzberg
Inventor's Signature

June 8, 00
Date

3 Cloverdale Lane, Monsey, New York 10952
Residence

United States of America
Citizenship

Same as residence
Post Office Address

Charles Steven Lingafelt

Full name of second joint inventor, if any

Charles Steven Lingafelt
Inventor's signature

Date

4830 Highgate Drive, Durham, North Carolina 27713
Residence

United States of America
Citizenship

Same as residence
Post Office Address

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| (Number) _____ (Country) _____ (Day/Month/Year Filed) _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No |
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SSM&P Doc No.: YOR9-2000-0348US1
I Pocket No.: 13668DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATIONSend Correspondence to: Richard L. Catania, Scully, Scott, Murphy & Presser400 Garden City Plaza, Garden City, New York 11530Direct Telephone Calls to: (name and telephone number) Richard L. Catania, (516) 742-4343Louis Paul Herzberg

Full name of sole or first inventor

Inventor's Signature

Date

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ResidenceUnited States of America
CitizenshipSame as residence
Post Office AddressCharles Steven Lingafelt

Full name of second joint inventor, if any

Charles Steven Lingafelt

Inventor's signature

June 8, 2000
Date4830 Highgate Drive, Durham, North Carolina 27713
ResidenceUnited States of America
CitizenshipSame as residence
Post Office Address

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SCULLY, SCOTT

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ASSO. P/A

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Louis P. Herzberg, Docket: 13668 (YOR9-2000-0348US1)
et al.

Serial No.: Unassigned

Dated:

Filed: Herewith

For: VIDEO ON DEMAND CONFIGURING,
CONTROLLING AND MAINTAININGAssistant Commissioner for Patents
Washington, DC 20231ASSOCIATE POWER OF ATTORNEY AND
REQUEST FOR CHANGE OF MAILING ADDRESS

Sir:

Applicants, by their attorneys of record, hereby grant
an Associate Power of Attorney to:

RICHARD L. CATANIA, Reg. No. 32,608; FRANK S. DIGIGLIO, Reg.
31,346; KENNETH L. KING, Reg. No. 24,223; STEPHEN D. MURPHY,
Reg. No. 22,002; LEOPOLD PRESSER, Reg. No. 19,827; and JOHN S.
SENSNY, Reg. No. 28,757

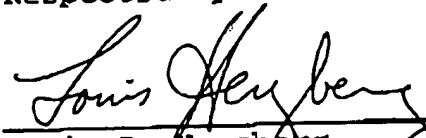
with full power of substitution to prosecute this application
and transact all business in the United States Patent and
Trademark Office in connection therewith.

Applicants further request that all future
correspondence in connection with this application be directed
and addressed to:

RICHARD L. CATANIA, ESQ.
SCULLY, SCOTT, MURPHY AND PRESSER
400 Garden City Plaza
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Direct all telephone calls to: (516) 742-4343.

Respectfully submitted,



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